

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER**

UNITED STATES OF AMERICA)	
)	Case No. 4:21-cr-16
v.)	
)	Judge Travis R. McDonough
DEREK PHILLIPS)	
)	Magistrate Judge Christopher H. Steger
)	

ORDER

U.S. Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 26) recommending that the Court: (1) grant Defendant’s motion to withdraw his not guilty plea to Counts One and Two of the three count Indictment; (2) accept Defendant’s guilty plea to Counts One and Two of the three count Indictment; (3) adjudicate Defendant guilty of Count One—possession of a firearm and ammunition by a convicted felon in violation of 18 U.S.C. § 922(g)(1), and Count Two—possession with intent to distribute more than five grams of methamphetamine (actual), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and (4) order that Defendant remain in custody pending sentencing or further order of this Court.

After reviewing the record, the Court agrees with Magistrate Judge Steger’s report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge’s report and recommendation (Doc. 26) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant’s motion to withdraw his not guilty plea to Counts One and Two of the three count Indictment is **GRANTED**;

2. Defendant's plea of guilty to Counts One and Two of the three count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count One—possession of a firearm and ammunition by a convicted felon in violation of 18 U.S.C. § 922(g)(1), and Count Two—possession with intent to distribute more than five grams of methamphetamine (actual), a Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(B); and
4. Defendant **SHALL REMAIN** in custody until further order of this Court or sentencing in this matter which is scheduled to take place on **May 20, 2022, at 2:00 p.m.**

SO ORDERED.

/s/ Travis R. McDonough
TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE